



Reprinted
January 29, 2002

HOUSE BILL No. 1042

DIGEST OF HB 1042 (Updated January 28, 2002 4:00 PM - DI 77)

Citations Affected: IC 14-22.

Synopsis: Age 65 resident fishing license. Requires a resident who is at least 65 years of age and who wishes to fish to obtain a license. Provides a reduced license fee for these individuals. Under current law a resident at least 65 years of age who wishes to fish is not required to have a license. Provides for a reduced penalty for residents who are 65 years of age and fish without a valid license. (The introduced version of this bill was approved by the natural resources study committee.)

Effective: July 1, 2002.

Ulmer, Lytle

January 8, 2002, read first time and referred to Committee on Rules and Legislative Procedures.

January 14, 2002, reassigned to Committee on Agriculture, Natural Resources and Rural Development.

January 24, 2002, reported — Do Pass.

January 28, 2002, read second time, amended, ordered engrossed.

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HB 1042—LS 6648/DI 22+



Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

HOUSE BILL No. 1042

A BILL FOR AN ACT to amend the Indiana Code concerning
natural and cultural resources.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 14-22-11-8, AS AMENDED BY P.L.84-2000,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2002]: Sec. 8. (a) This section does not apply to the following:

4 ~~(1)~~ **A person who is:**

5 ~~(A)~~ **a resident of Indiana; and**

6 ~~(B)~~ **at least sixty-five (65) years of age.**

7 ~~(2)~~ **(1) A person who is less than seventeen (17) years of age.**

8 ~~(3)~~ **(2) A person who is legally blind.**

9 ~~(4)~~ **(3) A person who is a resident patient of a state mental**
10 **institution.**

11 ~~(5)~~ **(4) A person who is:**

12 **(A) a resident of a health facility (as defined in**
13 **IC 16-18-2-167) licensed in Indiana; and**

14 **(B) taking part in a supervised activity of the health facility.**

15 ~~(6)~~ **(5) A person who:**

16 **(A) is a resident of Indiana;**

17 **(B) has a developmental disability; and**

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1 (C) is fishing with a person who holds a fishing license or is
 2 exempt from holding a fishing license under subdivision (1).

3 ~~(7)~~ (6) A resident of Indiana who fishes during a free sport fishing
 4 day designated under IC 14-22-18.

5 (b) Every person must have a fishing license in the person's
 6 possession when fishing in:

7 (1) waters containing state owned fish;

8 (2) waters of the state; or

9 (3) boundary waters of the state.

10 (c) Every person must have a valid trout-salmon stamp in the
 11 person's possession to legally fish for or take trout or salmon in:

12 (1) waters containing state owned fish;

13 (2) waters of the state; or

14 (3) boundary waters of the state.

15 SECTION 2. IC 14-22-11-17 IS AMENDED TO READ AS
 16 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 17. (a) **Except as**
 17 **provided in subsection (b)**, a person who violates section 6, 7, or 8 of
 18 this chapter commits a Class C infraction.

19 (b) **A person who qualifies for a license under IC 14-22-12-1.4**
 20 **and who violates section 8 of this chapter shall be assessed an**
 21 **administrative penalty of seven dollars and seventy-five cents**
 22 **(\$7.75). A person who has been issued a citation under this**
 23 **subsection may request an administrative hearing. A hearing held**
 24 **in response to a request under this subsection must be held under**
 25 **IC 4-21.5-3. The hearing shall be conducted by an administrative**
 26 **law judge for the commission. The determination of the**
 27 **administrative law judge is a final agency action, as defined in**
 28 **IC 4-21.5-1-6. Penalties collected under this subsection shall be**
 29 **deposited in the state general fund.**

30 SECTION 3. IC 14-22-12-1.4 IS ADDED TO THE INDIANA
 31 CODE AS A NEW SECTION TO READ AS FOLLOWS
 32 [EFFECTIVE JULY 1, 2002]: Sec. 1.4. (a) **Notwithstanding the fee**
 33 **established under section 1 of this chapter, an individual who is:**

34 (1) **a resident of Indiana; and**

35 (2) **at least sixty-five (65) years of age;**

36 **is entitled to obtain a yearly resident license to fish at a reduced fee**
 37 **of two dollars and seventy-five cents (\$2.75).**

38 (b) **An applicant for a reduced fee license under this section**
 39 **must present evidence that the applicant meets the requirements**
 40 **of subsection (a).**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture, Natural Resources and Rural Development, to which was referred House Bill 1042, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

LYTLE, Chair

Committee Vote: yeas 6, nays 4.

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1042 be amended to read as follows:

Page 2, between lines 14 and 15, begin a new paragraph and insert:

"SECTION 2. IC 14-22-11-17 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 17. **(a) Except as provided in subsection (b), a person who violates section 6, 7, or 8 of this chapter commits a Class C infraction.**

(b) A person who qualifies for a license under IC 14-22-12-1.4 and who violates section 8 of this chapter shall be assessed an administrative penalty of seven dollars and seventy-five cents (\$7.75). A person who has been issued a citation under this subsection may request an administrative hearing. A hearing held in response to a request under this subsection must be held under IC 4-21.5-3. The hearing shall be conducted by an administrative law judge for the commission. The determination of the administrative law judge is a final agency action, as defined in IC 4-21.5-1-6. Penalties collected under this subsection shall be deposited in the state general fund."

Renumber all SECTIONS consecutively.

(Reference is to HB 1042 as printed January 25, 2002.)

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